## 1 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA 2 IN RE: BARD IVC FILTERS MDL No. 2:15-md-02641 -DGC 3 PRODUCTS LIABILITY LITIGATION 4 Civil Action No.: 2:16-cv-01016-DGC James Edward Pugh, 5 Plaintiff, 6 v. NOTICE OF DISMISSAL 7 WITHOUT PREJUDICE C. R. Bard Inc., and Bard Peripheral PURSUANT TO FEDERAL RULE 8 OF CIVIL PROCEDURE 41(A)(1)(A)(i) Vascular, Inc., 9 Defendants. 10 11 Plaintiff James Edward Pugh hereby voluntarily dismisses the above-captioned 12 lawsuit without prejudice to any claims stated herein, or in any other suit. Plaintiff Pugh 13 had already filed a lawsuit in this Court regarding these claims, and he continues to pursue 14 15 those claims in that lawsuit. See Case No. 2:16-cv-00255-DGC. This second action was 16 filed in error. Plaintiff Pugh has served no documents on any opposing parties in this 17 action, including the complaint. 18 19 RESPECTFULLY SUBMITTED this 2nd day of May 2016. 20 By: /s/ Wendy R. Fleishman 21 Wendy R. Fleishman Daniel E. Seltz 22 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP 23 250 Hudson St., 8th Floor 24 New York, NY 10013 Phone: (212) 355-9500 25 (212) 355-1008 26 wfleishman@lchb.com dseltz@lchb.com 27 Attorneys for Plaintiff 28

**CERTIFICATE OF SERVICE** 

I hereby certify that on this 2nd day of May 2016, I electronically transmitted the foregoing Notice of Dismissal Without Prejudice Pursuant to Federal Rule Of Civil Procedure 41(A)(1)(A)(i) to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the attorneys who are registered with the Court's electronic filing system.

/s/ Wendy R. Fleishman
Wendy R. Fleishman

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